

# CONGRESSIONAL RECORD.

## PROCEEDINGS AND DEBATES OF THE SIXTY-FIRST CONGRESS.

### THIRD SESSION.

#### SENATE.

MONDAY, December 5, 1910.

The first Monday in December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the third session of the Sixty-first Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The Vice President (JAMES S. SHERMAN, of New York) called the Senate to order at 12 o'clock noon.

#### PRAYER.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, in whose presence we now stand, look with favor, we pray Thee, upon Thy waiting servants now before Thee, and graciously hear the common supplication which with one heart and with one mind we make unto Thee.

The absent faces remind us anew that it is not in us who walk to direct our steps, and that we are ever dependent upon Thee, without whom not a sparrow falleth. We remember before Thee, our Father, those of our body whom Thou hast called from these earthly courts to Thine higher service, and pray that there as here they may be compassed about by Thine everlasting arms.

And for us, as we gird ourselves for the work to which Thou hast called us, we pray that we may be guided by Thy wisdom and upheld by Thy strength; that this session, begun in Thy name, may be continued by Thy grace and ended to Thy glory.

And unto the name which is above every name will we render praise, now and forever more. Amen.

#### CALLING OF THE ROLL.

The VICE PRESIDENT. The Secretary will call the roll of the Senate to ascertain whether a quorum is present.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Heyburn	Rayner
Bacon	Crawford	Johnston	Richardson
Bailey	Culberson	Jones	Root
Beveridge	Cullom	Kean	Scott
Borah	Cummins	Lodge	Shively
Bourne	Curtis	Lorimer	Simmons
Bradley	Davis	McCumber	Smith, Md.
Brandeggee	Depew	Martin	Smith, Mich.
Briggs	Dick	Money	Smith, S. C.
Bristow	Dillingham	Nelson	Smoot
Brown	Dixon	Newlands	Stephenson
Bulkeley	du Pont	Nixon	Stone
Burkett	Fletcher	Overman	Sutherland
Burnham	Flint	Owen	Taylor
Burns	Foster	Page	Tillman
Burton	Frazier	Paynter	Warner
Carter	Gallinger	Penrose	Warren
Chamberlain	Gamble	Percy	Wetmore
Clapp	Gore	Perkins	
Clark, Wyo.	Guggenheim	Piles	
Clarke, Ark.	Hale	Purcell	

Mr. GUGGENHEIM. I wish to announce that my colleague [Mr. HUGHES] is detained by illness. He hopes to be in his seat the early part of January.

The VICE PRESIDENT. Eighty-one Senators have answered to the roll call. A quorum of the Senate is present.

#### LIST OF SENATORS.

The list of Senators, by States, is as follows:

Alabama—John H. Bankhead and Joseph F. Johnston.

Arkansas—James P. Clarke and Jeff Davis.

California—Frank P. Flint and George C. Perkins.

Colorado—Simon Guggenheim and Charles J. Hughes, jr.

Connecticut—Frank B. Brandeggee and Morgan G. Bulkeley.  
Delaware—Henry A. du Pont and Harry A. Richardson.  
Florida—Duncan U. Fletcher and James P. Tallafiero.  
Georgia—Augustus O. Bacon.  
Idaho—William E. Borah and Weldon B. Heyburn.  
Illinois—Shelby M. Cullom and William Lorimer.  
Indiana—Albert J. Beveridge and Benjamin F. Shively.  
Iowa—Albert B. Cummins.  
Kansas—Joseph L. Bristow and Charles Curtis.  
Kentucky—William O. Bradley and Thomas H. Paynter.  
Louisiana—Murphy J. Foster.  
Maine—William P. Frye and Eugene Hale.  
Maryland—Isidor Rayner and John Walter Smith.  
Massachusetts—Winthrop Murray Crane and Henry Cabot Lodge.  
Michigan—Julius C. Burrows and William Alden Smith.  
Minnesota—Moses E. Clapp and Knute Nelson.  
Mississippi—H. D. Money and Le Roy Percy.  
Missouri—William J. Stone and William Warner.  
Montana—Thomas H. Carter and Joseph M. Dixon.  
Nebraska—Norris Brown and Elmer J. Burkett.  
Nevada—Francis G. Newlands and George S. Nixon.  
New Hampshire—Henry E. Burnham and Jacob H. Gallinger.  
New Jersey—Frank O. Briggs and John Kean.  
New York—Chauncey M. Depew and Ellhu Root.  
North Carolina—Lee S. Overman and F. M. Simmons.  
North Dakota—Porter J. McCumber and William E. Purcell.  
Ohio—Theodore E. Burton and Charles Dick.  
Oklahoma—Tom P. Gore and Robert L. Owen.  
Oregon—Jonathan Bourne and George E. Chamberlain.  
Pennsylvania—George T. Oliver and Boies Penrose.  
Rhode Island—Nelson W. Aldrich and George Peabody Wetmore.

South Carolina—Ellison D. Smith and Benjamin R. Tillman.  
South Dakota—Coe I. Crawford and Robert J. Gamble.  
Tennessee—James B. Frazier and Robert L. Taylor.  
Texas—Joseph W. Bailey and Charles A. Culberson.  
Utah—Reed Smoot and George Sutherland.  
Vermont—William P. Dillingham and Carroll S. Page.  
Virginia—Thomas S. Martin.  
Washington—Wesley L. Jones and Samuel H. Piles.  
West Virginia—Stephen B. Elkins and Nathan B. Scott.  
Wisconsin—Robert M. La Follette and Isaac Stephenson.  
Wyoming—Clarence D. Clark and Francis E. Warren.

#### NOTIFICATION TO THE HOUSE.

Mr. HALE submitted the following resolution (S. Res. 284), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

#### NOTIFICATION TO THE PRESIDENT.

Mr. CULLOM submitted the following resolution (S. Res. 285), which was considered by unanimous consent and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed as the committee Mr. CULLOM and Mr. MONEY.

#### HOOR OF MEETING.

Mr. LODGE submitted the following resolution (S. Res. 286), which was considered by unanimous consent and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

## DEATH OF SENATOR JOHN W. DANIEL.

Mr. MARTIN. Mr. President, it is my painful duty to announce to the Senate that my late colleague, Hon. JOHN W. DANIEL, departed this life in the city of Lynchburg on the 29th day of June last.

Senator DANIEL had been a Member of the Senate for nearly 24 years, and had been reelected for a fifth term, which would have commenced on the 4th day of March, 1911. I think I may be pardoned for saying that during his long service in the Senate no Member of the body enjoyed in a higher degree than he did the esteem, the confidence, and the affection of his associates. I think I may say, too, that during his long term of service here no State was represented with more ability and fidelity than Virginia was by Senator DANIEL. As a soldier, as a lawyer, as an author, as an orator, and as a statesman he attained great distinction and reflected honor on his State, where he was admired and beloved as no other public man has been in my recollection.

This is not a time, however, for me to indulge in any extended remarks about Senator DANIEL's public services or noble character. Later on I will ask the Senate to set aside a day when proper tribute can be paid to his memory. I send to the desk some resolutions which I ask may be adopted.

I will state that I do not at this time make a motion for the adjournment of the Senate because there are sad tidings from other States, which will have to be communicated to the Senate by other Senators before the motion should be made.

The VICE PRESIDENT. The Secretary will read the resolutions submitted by the Senator from Virginia.

The Secretary read the resolutions (S. Res. 287), as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of the Hon. JOHN W. DANIEL, late a Senator from the State of Virginia.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT. The question is on the adoption of the resolutions.

The resolutions were unanimously agreed to.

## DEATH OF SENATOR ALEXANDER S. CLAY.

Mr. BACON. Mr. President, with great personal sorrow, which I know is fully shared by all Senators, by whom he was so universally beloved, I have to announce to the Senate the death of my late colleague, Senator ALEXANDER S. CLAY. He died three weeks ago, on the 13th day of November, in Atlanta, Ga., near his home.

The time and the occasion, Mr. President, will not now permit, but hereafter, during the present session of Congress, I shall ask the Senate to set apart a day when suitable tribute may be paid to his memory.

I now, Mr. President, offer the following resolutions for the consideration of the Senate:

The VICE PRESIDENT. The Secretary will read the resolutions offered by the Senator from Georgia.

The Secretary read the resolutions (S. Res. 288), as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of the Hon. ALEXANDER S. CLAY, late a Senator from the State of Georgia.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

## DEATH OF SENATOR SAMUEL D. McENERY.

Mr. FOSTER. Mr. President, it is my sad duty to announce to the Senate the death of my late colleague, the Hon. SAMUEL DOUGLAS McENERY, a Senator in this body from the State of Louisiana. He died at his home in the city of New Orleans on the morning of the 28th of June last.

Mr. President, I shall not speak to-day upon the great services which my colleague rendered to his native State and to his country, but at a later date I shall ask the Senate to fix a day when appropriate ceremonies can be had and proper tributes paid commemorative of his life, character, and public services.

I send the following resolutions to the desk and ask for their immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolutions offered by the Senator from Louisiana.

The Secretary read the resolutions (S. Res. 289), as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of the Hon. SAMUEL D. McENERY, late a Senator from the State of Louisiana.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

## DEATH OF SENATOR JONATHAN P. DOLLIVER.

Mr. CUMMINS. Mr. President, it has become my duty, and a very sad duty it is, to announce to the Senate the death of my colleague, JONATHAN P. DOLLIVER. He died at his home in the city of Fort Dodge on the 15th day of October.

At another time I shall ask the Senate to designate a day upon which we can consider and reflect on his great personal worth and his distinguished public service. At this time I offer the following resolutions.

The VICE PRESIDENT. The Secretary will read the resolutions offered by the Senator from Iowa.

The Secretary read the resolutions (S. Res. 290), as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of the Hon. JONATHAN P. DOLLIVER, late a Senator from the State of Iowa.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

Mr. BACON. Mr. President, this scene in its sadness and in its tragedy has no precedent and no parallel in all the history of the Senate. Having reference to each of the four former Senators whose deaths have been announced to-day, I now offer the following resolution.

The VICE PRESIDENT. The Senator from Georgia offers a resolution, which the Secretary will read.

The Secretary read the resolution (S. Res. 291), as follows:

*Resolved*, That as a further mark of respect to the memory of the deceased Senators, whose deaths have just been announced, the Senate do now adjourn.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the Senator from Georgia.

The resolution was unanimously agreed to; and (at 12 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 6, 1910, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

Monday, December 5, 1910.

This being the day fixed by the Constitution for the annual meeting of the Congress of the United States, the House of Representatives of the Sixty-first Congress met in its Hall at 12 o'clock m. for its third session, and was called to order by the Speaker, Hon. JOSEPH G. CANNON, a Representative from the State of Illinois.

Prayer was offered by the Chaplain, Rev. Henry N. Couden, D. D., as follows:

O Lord, our God and Father, out of whose boundless love we have our being, through whose boundless love we live and hope, and aspire and pray, increase its power and hold us close to Thee, that our lives may be enriched and ennobled by all that make for righteousness in the soul, a faith deep and abiding, a hope that burns brighter day by day and a love that knows no bounds for Thee and for our fellow men; that we may measure up to the highest ideals of Christian manhood and American citizenship; that the genius of our Republic may more and more obtain. Grant, O most merciful Father, Thy blessing upon each Member of the Congress now convened, that with renewed energy and zeal they may fulfill the obligations resting upon them to the highest and best good of those whom they represent.

Be graciously near to the President of these United States and all his advisers, that with wisdom, justice, and firmness he may execute the laws of the land and amicably adjust the affairs of state to the honor and glory of Thy holy name. Be very near, O Father, to the judiciary, that they may continue the confidence which the people have always reposed in their wisdom, justice, and integrity.

Keep us in peace among ourselves and with all nations, and grant, O God, we beseech Thee, that the day may speedily come when disarmament shall set in, when the differences arising between the peoples of the earth may be adjusted by the peaceful and saner methods of arbitration.

And to Thee we will ascribe all praise, through Jesus Christ, our Lord. Amen.

## CALL OF THE ROLL.

The SPEAKER. The Clerk will call the roll of Members, by States.

The roll was called, and the following Members answered to their names:

## ALABAMA.

George W. Taylor.	Richmond Pearson Hobson.
S. H. Dent, Jr.	John L. Burnett.
Henry D. Clayton.	William Richardson.
J. Thomas Heflin.	Oscar W. Underwood.